



DOUGLASKIM+ASSOCIATES,LLC

To: File
From: Douglas Kim, AICP
Date: June 7, 2023
Re: 730 South Western Avenue Appeal
SUMMARY RESPONSES

This summary technical memorandum summarizes the June 7, 2023 detailed responses to comments by DKA Planning. The detailed responses summarized here respond to the June 5, 2023 letter from Lozeau Drury LLP and June 2, 2023 letter from SWAPE, attached to the Lozeau Drury letter as Exhibit B, regarding the air quality analysis provided with the November 2022 categorical exemption (AQ Technical Analysis) prepared for the proposed 125-unit mixed-income multi-family development project located at 730 South Western Avenue (Project). The AQ Technical Analysis was relied on by the City of Los Angeles (City) in adopting a Class 32 urban infill categorical exemption (CE) for the Project to comply with the California Environmental Quality Act (CEQA), as set forth in a November 2022 CE report (CE Report).

Comment 1: The Project will have a significant air quality impacts.

Response 1: As demonstrated by the AQ Technical Analysis, based project-specific information, standard methodologies and adopted thresholds, the Project would have minimal impacts on regional and local air quality under CEQA. For example, construction-related air quality emissions would be more than 78 percent lower than any of the thresholds for regional criteria pollutants, including being 97 percent lower than the mass emissions threshold for carbon monoxide. Further, the Project would result in a reduction of mobile source emission by reducing 62 daily vehicle trips and 202 vehicle miles traveled from local roadways when compared to the impact of the existing commercial center operating at the Project site. The Project would thus result in a net reduction of NO_x emissions, a key precursor pollutant to regional ozone levels, for the which region is considered non-attainment. The Project does not come close to causing significant air quality impacts and the commenter does not demonstrate otherwise.

Comment 2: The CE improperly relies on the newest version of the CalEEMod air quality modeling software, which allegedly does not provide certain inputs and data relied on in the analysis. The CE should have provided input modeling computer files instead.

Response 2: The CalEEMod air quality model (version 2022.1.0.0) relied on in the AQ Technical Analysis was released on May 27, 2022 and represents the state-of-the-practice for use in air quality analyses throughout the State. It provided a much-needed update to the previous version issued in 2020 that no longer reflected updated emission factors and other technical data necessary to make

accurate estimate of air quality emissions based on the most current information. To suggest that an older outdated model should be used is a false and disingenuous argument.

The CE Report attaches in Appendix D 48 pages of documentation fully disclosing all relevant assumptions and technical factors used to make every calculation in the air quality modeling work conducted for the Project. This includes an accounting of all default assumptions used by the model, as well as a separate documentation of all user changes to default data (Section 8, page 48). The commenter's suggestion that an evaluation of the analysis is not possible without the model's input file is baseless, as the information provided fully meets CEQA's requirement to fully disclose the assumptions underlying the analysis and the results of the analysis. The information provided with the CE Report includes all the information the commenter claims was missing from the disclosed data.

Comment 3: The AQ technical memorandum is unsigned; the CE does not contain any information on who authored the report, or what qualifications they have to make their assessment.

Response 3: The commenter invents a false requirement that an air quality analysis be "signed" in order to be valid. There is no authority for this claim, and no such requirement exists under CEQA, which provides that expert opinions on technical subjects based on facts constitute substantial evidence that can be relied on to support factual findings by a lead agency. The AQ Technical Analysis here was prepared by Douglas Kim, AICP, who is the principal of DKA Consulting and has 37 years of experience preparing technical air quality analyses, including worked as an Air Quality Specialist for the South Coast Air Quality Management District and Monterey Bay Unified Air Pollution Control District, where served as the principal author on guidance for the preparation of air quality analyses under CEQA. Mr. Kim also served on a number of Statewide technical advisory committees governing analyses, including the technical committee for the CAPCOA's efforts to develop the URBEMIS model, the original air district-sanctioned modeling for estimating mass emissions for air quality analyses. Most recently, he served as a Governing Board Member for the Bay Area Air Quality Management District. He is a bona fide air quality expert whose expertise the City properly relied on in adopting the CE for the Project.

Comment 4: The CE analysis relies on improper information for off-road equipment, demolition materials to be removed from the site, and incorrect grading values.

Response 4: The commenter incorrectly states that revisions to the equipment inventory were made. The inventory of equipment assumed for the analysis was not altered, instead relying on default assumptions from the model for each phase for every one of the eight variables considered by the model. The allegation that an incorrect amount of demolition debris was assumed in the AQ analysis in the CE is false, relying on incorrect, outdated information. The correct volume of debris for the Project was analyzed in the AQ Technical Analysis. In addition, the modeling was based on the actual size of the Project site, which is the correct basis for the analysis of the Project and not the default assumptions for site size in the model, as claimed by the commenter. The model default does not reflect the actual size of the Project site and therefore would not provide an accurate analysis of Project impacts.